

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>020801-000810US</b>
I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via EFS-Web on <u>September 8, 2009</u>  Signature <u>/Linda Shaffer/</u>  Typed or printed name <u>Linda Shaffer</u>	In re Application of <b>Anthony Boey et al.</b>  Application Number <b>09/744,103</b> Filed <b>December 10, 2001</b>  <b>For LIPOSOMAL ENCAPSULATED NUCLEIC ACID-COMPLEXES</b>  Art Unit <b>1612</b> Examiner <b>Gollamudi S. Kishore</b>	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- applicant/inventor. /Eugenia Garrett-Wackowski, Reg. No. 37,330/  
\_\_\_\_\_  
Signature \_\_\_\_\_  
\_\_\_\_\_  
Eugenia Garrett-Wackowski  
\_\_\_\_\_  
Typed or printed name \_\_\_\_\_
- assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- attorney or agent of record.  
Registration number 37,330 925-472-5000  
\_\_\_\_\_  
Telephone number \_\_\_\_\_
- attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. 9/8/09  
\_\_\_\_\_  
Date \_\_\_\_\_

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.